



A S <smigelski.andy@gmail.com>

Motion to Compel

5 messages

A S <smigelski.andy@gmail.com> Fri, Jun 3, 2022 at 3:59 PM
To: Cara Wright <Cara.Wright@fmglaw.com>, "Reese, Jessica" <jreese@dmclaw.com>, "Michael S. Loughry" <Michael.Loughry@fmglaw.com>, "Rash, Anthony" <ARash@dmclaw.com>

Hi all, I'm planning on submitting a Motion to Compel to the Court regarding my subpoenas to
- the South Central Major Crimes Unit, and Hocking County Prosecutor who never replied to the subpoenas with either production or objection.
- the Hocking County Sheriff's Office, who did call me, to give them an additional two week deadline to officially produce or object to the subpoena.

I noticed that Cara Wright, on behalf of Abigail Saving and the Logan Police Department objected to nearly every subpoena production requirement. This largely mirrors my earlier Requests for Admissions, Production, and Interrogatories, and seems in bad faith and obstructionist. Is there any more of these that your clients would like to produce/answer before I have to add these to the Motion to Compel to let the judge decide?

Also, as far as the other subpoena responses that included at least some production, I noticed that you were CC'd on some of those. Which of those do you have and which do you still need?

Andrew

Cara Wright <Cara.Wright@fmglaw.com> Fri, Jun 3, 2022 at 5:18 PM
To: A S <smigelski.andy@gmail.com>, "Reese, Jessica" <jreese@dmclaw.com>, "Michael S. Loughry" <Michael.Loughry@fmglaw.com>, "Rash, Anthony" <ARash@dmclaw.com>

Andrew,

I do not believe that we have received any responses to the subpoenas that you had issued. We would appreciate it if you would provide us with copies of the responses.

Generally speaking, I maintain the objections that were asserted in response to the subpoenas that were issued to Ms. Saving and the Logan Police Department. With that said, if there are objections to specific requests that you disagree with, I would invite you to please identify those objections and provide me with case law supporting your position that the objection is improper and I would certainly be willing to re-visit the objections.

All the best,

Cara

Cara Wright
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From: A S <smigelski.andy@gmail.com>

Sent: Friday, June 3, 2022 3:59 PM

To: Cara Wright <Cara.Wright@fmglaw.com>; Reese, Jessica <jreese@dmclaw.com>; Michael S. Loughry

<Michael.Loughry@fmglaw.com>; Rash, Anthony <ARash@dmclaw.com>

Subject: Motion to Compel

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A S <smigelski.andy@gmail.com>

Wed, Jun 8, 2022 at 3:17 PM

To: Cara Wright <Cara.Wright@fmglaw.com>

Cc: "Reese, Jessica" <jreese@dmclaw.com>, "Michael S. Loughry" <Michael.Loughry@fmglaw.com>, "Rash, Anthony" <ARash@dmclaw.com>

Hi Cara,

Thanks but no thanks on your offer to argue case law with you. I would prefer to let the judge decide.

Also, I noticed that on behalf of your clients, you are claiming that a number of these pieces of evidence don't exist, even though they seem to be cross-referenced by other evidence. Please check with your clients to make sure that what you're claiming is true. I'm tired of evidence being withheld, and I'm tired of being lied to. If this evidence that you claim doesn't exist is later found, I will be reporting you to the Office of Disciplinary Counsel for your inappropriate actions.

Thanks

Andrew

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Michael S. Loughry <Michael.Loughry@fmglaw.com>

Wed, Jun 8, 2022 at 10:23 PM

To: A S <smigelski.andy@gmail.com>, Cara Wright <Cara.Wright@fmglaw.com>

Cc: "Reese, Jessica" <jreese@dmclaw.com>, "Rash, Anthony" <ARash@dmclaw.com>

Andrew,

Cara is on vacation this week. If you think we're withholding something that's identified elsewhere, kindly point out to us where that's the case, and we'll address it with our clients. Right now, without identifying what items you believe are cross-referenced by unspecified other items, you are not providing us with enough information to follow up on. If you won't tell us why our objections are improper, and you won't tell us where you think we're mistaken in our responses, we're at an impasse, but it's one you are creating. We are happy to discuss matters with you further.

I would note that before you go to the court, you should remember that you have to comply with the rules of civil procedure just as we do. In filing any motion under Rule 37, you must certify to the court that you made a good faith attempt to confer with us in order to attempt resolution of the dispute. So far, you are refusing to do that.

Finally, I would note your failure to provide us with your responses to our requests for production of documents despite numerous offers from us to have the records copied including after your deposition.

Best regards,

Mike

Michael S. Loughry

Partner

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A S <smigelski.andy@gmail.com>

Wed, Jun 8, 2022 at 10:43 PM

To: "Michael S. Loughry" <Michael.Loughry@fmglaw.com>

Cc: Cara Wright <Cara.Wright@fmglaw.com>, "Reese, Jessica" <jreese@dmclaw.com>, "Rash, Anthony"

<ARash@dmclaw.com>

Hi Mike,

Perhaps you're misremembering, but I brought the evidence to you and you were free to inspect it. I'm sure you'll see that in the video taken at the deposition. Additionally, I've made numerous offers to provide copies or bring the documents to a copy service.

I have attempted to confer with you regarding the evidence and your clients but I have lost faith because of your, and your clients' total lack of cooperation. I still have not received the DVD evidence that Cara Wright mentioned Abigail Saving having, despite the fact that that subpoena was due May 28. This is in line with 4 years of lies and withholding, which additional evidence is already confirming. You will receive a copy once I have it compiled.

Andrew

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